



PEROFF SAUNDERS P.C.
745 5TH AVENUE | SUITE 500
NEW YORK, NY 10151
TEL: 646.898.2030
WWW.PEROFFSAUNDERS.COM

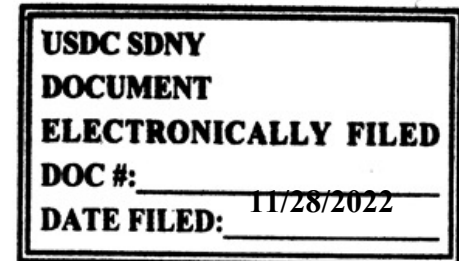
Darren W. Saunders
Partner
dir: 646.898.2052
dsaunders@peroffsaunders.com

MEMO ENDORSED

November 28, 2022

VIA ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street, Room 750
New York, NY 10007



Re: *Rubik's Brand Limited v. Flambeau, Inc. et ano.*, Case No. 1:17-cv-06559 (PGG)(KHP)

Dear Judge Parker:

We are writing in regard to the settlement conference scheduled for December 2, 2022. The parties jointly request that the conference be rescheduled for a date approximately two weeks later to provide additional time for settlement negotiations, for the reason explained below.

In connection with settlement, Plaintiff requested on November 3 that Defendant provide updated sales information regarding the accused Quick Cube product. Defendant provided this information on November 17, but designated it as “Highly Confidential – Attorney’s Eyes Only” under the Protective Order entered in this action. Plaintiff requested that it be able to share the sales information with two corporate representatives in order to make a settlement proposal. As of today, Defendant’s counsel indicated that it has not yet heard back from its client on this request. The parties intend to resolve this matter in due course such that Plaintiff can make a settlement proposal.

Accordingly, the parties request a two-week extension of the settlement schedule to allow for settlement negotiations.

Additionally, we wish to inform the Court that Plaintiff’s designated corporate representative who will attend the conference remotely is located in Amsterdam, The Netherlands, and therefore, we respectfully request that the settlement conference be set in the morning local time.

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The parties greatly appreciate the Court's attention to this matter.

Respectfully submitted,

/s/ Darren W. Saunders

Darren W. Saunders

Mark I. Peroff


Jason H. Kasner

PEROFF SAUNDERS P.C.

*Attorneys for Plaintiff Rubik's Brand
Limited*

APPLICATION GRANTED: The Settlement Conference in this matter utilizing Microsoft Teams scheduled for Friday, December 2, 2022 at 10:00 a.m. is hereby rescheduled to **Wednesday, February 15, 2023 at 10:00 a.m.** Counsel for the parties will be sent an invitation by Judge Parker's chambers prior to the scheduled conference date. Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Updated pre-conference submissions must be received by the Court no later than **February 8, 2023 by 5:00 p.m.**

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

11/28/2022